



KERALA GAZETTE

കേരള ഗസറ്റ്

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PART IV

Private Advertisements and Miscellaneous Notifications

OFFICE OF THE COMMISSIONER OF CUSTOMS
CUSTOM HOUSE, COCHIN

NOTIFICATION

[No. 03/2012]

F. No. S. 25/260/2010-I & B-Cus. 18th April 2012.

In exercise of the powers conferred on me under Section 8 (a) of the Customs Act, 1962 (52 of 1962), I, Vijay Kalsi, Commissioner of Customs, Custom House, Cochin, on request of M/s. Gateway Distriparks (Kerala) Ltd., Vallarpadam vide their Letter No. GDKL/07/CUS/2012 dated 10-4-2012 hereby approve the place, as specified below to be a proper space for storage of containers and imported goods, destuffing of all FCL/LCL containers. Customs examination before clearance, storage, examination and stuffing of export cargo in to containers and storage of export and import transshipment containers.

Further, in exercise of the powers conferred under sub-section (b) of Section 8 of the Customs Act, 1962,

I also specify the boundaries, and the limits of the above stated Customs Area bearing specific measurements and enclosed by the boundaries as specified below:

TABLE

Location	
—	Ernakulam District, Kanayannur Taluk, Mullavukadu Village, Mullavukadu Desom, Mullavukadu Panchayath in Survey No. 235, Sub Division 7 opposite to International Container Transshipment Terminal, Vallarpadam.

Area	— 6.5 acres.
Boundaries	— North—Land belonging to CPT South—Main Road NH 47-C East—Property belonging to Alpha Horizon West—Vallarpadam Church Road.

Custom House,
Cochin.

VIJAY KALSI,
Commissioner of Customs.

To

1. The Chief Commissioner of Customs, Kerala Zone, Cochin.
2. The Chairman, Cochin Port Trust, Cochin.
3. The Manager, Govt. of India Press, New Delhi-64.
4. All Chief Commissioners of Customs.
5. All Chief Commissioners of C.Ex. & Cus.
6. Directorate of Publications, Cus. & C.Ex., Gagandeep Bldg., Rajendra Place, New Delhi.
7. Under Secretary, C. B. E. C., (LC Section/ Cus. VII), New Delhi.
8. Directorate of Revenue Intelligence, IP Bhavan, IP Estate, New Delhi.
9. Director General of Anti-Evasion, New Delhi.
10. Director General of Inspection & Audit, Cus. & C.Ex., New Delhi.
11. Comptroller & Auditor General of India, New Delhi.

Copy to: Commissioner's file/Additional Commissioner/Joint Commissioner/All DCs/Acs/Guard File.

NOTIFICATION

[No. 04/2012]

No. S. 25/260/2010-I B & Cus. *19th April 2012.*

In exercise of the powers conferred on me under section 45(1) of the Customs Act, 1962 (52 of 1962) I, Vijay Kalsi, Commissioner of Customs, Cochin hereby appoint M/s. Gateway Distriparks (Kerala) Ltd. to be the custodian of imported goods and goods brought for export at the customs area notified under Section 8(a) vide Notification No. 03/2012, dated 18-4-2012 until these are cleared for home consumption or are warehoused or are transhipped or exported, in accordance with the provisions of the said Act, subject to the following conditions:

1. Gateway Distriparks (Kerala) Ltd., as the custodian of goods meant for import and export shall comply with all the Rules and Regulations under the Customs Act, 1962 including 'The Handling of Cargo in Customs Area Regulations, 2009' issued vide Notification No. 26/2009 Cus. (NT) as amended from time to time.
2. Custodian shall comply with all provisions of the Customs Act, 1962, more specifically the provisions of Section 45 (2) of the Customs Act, 1962 as well as rules and regulations and instructions issued from time to time in this regard.
3. The custodian shall be responsible for proper receipt, handling, storage and shall be accountable for the loss of imported goods after landing and before clearance as well as the goods meant for export/transshipment. They shall also maintain proper record of all such goods including the record of goods which are cleared with the permission of the Customs Department or disposed of under Section 48 or otherwise.
4. If any imported/export goods are pilfered or lost after unloading in the customs area while in the custody of the custodian, then in terms of provisions of Section 45(3) of the Customs act, 1962, they shall be liable to pay the duty on such pilfered goods.
5. The imported goods, which are not cleared for home consumption or warehoused or transhipped within 30 days of unloading thereof or within such further time period as the proper officer may allow; or the imported goods, to which the importer relinquishes his title as provided in Section 23(2) of the Customs Act, 1962, such goods shall not be sold under the provisions of Section 48 of the Customs Act, 1962, by the custodian without obtaining permission from the proper officer of Customs.
6. The Custodian shall provide safe, Secure and spacious place for loading/unloading/storing of the cargo.
7. The Custodian shall provide sufficient modern handling equipment in operational condition for handling the cargo in the notified area.
8. The custodian shall be responsible for the secure transit of the goods from the customs area to any other customs area at the same or any other customs station in accordance with the permission granted by the Customs.
9. No alteration in the plan of the Customs area shall be made without the concurrence of the Commissioner of customs, Cochin.

10. Insurance for an amount equal to the average value of goods likely to be stored in the customs area based on projected capacity.
11. (a) For proper discharge of duties, the custodian shall execute Bond in proper form either by one of the Directors equal to the average amount of duty involved on the imported goods and ten percent of value of export goods likely to be stored in the customs area during a period of thirty days.
(b) Bank Guarantee or cash deposit equivalent to 10% of such duty explained above.
(c) Execute separate bond for an amount equal to 10% of value of export goods with Bank guarantee for an amount to 10% of the value of bond, towards the export goods transported from the customs area to any other customs area for export or transshipment as the case may be.
(d) Undertaking to comply with the provisions and abide by all provisions of the Act and the rules, regulations, notifications and the orders issued thereunder.
(e) Undertaking to indemnify the Commissioner of Customs from any liability arising on account of damages caused or loss suffered on imported or export goods, due to accident, damage, deterioration, destruction or any other unnatural cause during their receipt, storage, delivery, dispatch or otherwise handling.
12. The custodian shall not permit any export cargo to enter the customs area without a shipping bill or a bill of export having been filed with the proper officer.
13. The custodian shall not permit any import cargo to enter the customs area or be unloaded therein without the import report or the import manifest having been filed with the proper officer.
14. Security of the customs area should be the responsibility of the custodian subject to the prior approval from the Commissioner of customs. The cost of security has to be borne by the custodian.
15. The custodian shall provide free furnished office space for the Customs Department at place of clearance.
16. The custodian shall demarcate separate areas for loading or export goods for their storage with respect to categories of exporters, nature of goods, examined and sealed containers or other criterion as the Commissioner of Customs may specify having regard to the custody and handling of export goods in a customs area.
17. The custodian shall demarcate separate areas for unloading of imported goods for their storage with respect to the category of importers, nature of goods, place of destination, mode of transportation or any other criterion as the Commissioner of Customs may specify having regard to the custody and handling of imported goods in a customs area.
18. The custodian shall bear the cost of the Customs Officers posted on cost recovery basis and shall make payments at such rates and in the manner specified by the Government of India in the Ministry of Finance unless specifically exempted by an order of the said Ministry.
19. The custodian shall provide free suitable transport for the Customs Staff from the nearest railway head or suitable point.
20. The custodian shall make adequate arrangements for sanitary facilities, water supply and other allied facilities, including canteen facility, for the officers working in the area.
21. Subject to any other law for the time being in force, the custodian shall not charge any rent/demurrage on the goods seized/detained or confiscated by Customs.
22. The Custodian shall not lease, gift, sell or sublet or in any other manner transfer any of the premises in a customs area; or sub-contract or outsource functions permitted or required to be carried out by him to any other person, without the written permission of the Commissioner of Customs.
23. The custodian shall publish and display at a prominent place including Website or Webpage of the custodian the schedule of charges for the various services provided by him in relation to the imported goods or export goods in the customs area.
24. Duration of the appointment shall initially remain for 5 years from the date of issue of this Notification and subject to the satisfaction of the Commissioner of Customs. Commissioner of Customs shall have right to terminate the appointment at any time after assigning specific reasons for the custodian to explain his case. The appointment shall be reviewed after 5 years thereafter.

Custom House,
Cochin.

VJAY KALSI,
Commissioner.

To

1. The Chief Commissioner of Customs, Kerala Zone, Cochin.
2. The Chairman, Cochin Port Trust, Cochin.

3. The Manager, Govt. of India Press,
New Delhi-64.
 4. All Chief Commissioners of Customs.
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 6. Directorate of Publications, Cus. & C.Ex.,
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Cus. VII), New Delhi.
 8. Directorate of Revenue Intelligence, IP Bhavan,
IP Estate, New Delhi.
 9. Director General of Anti-Evasion, New Delhi.
 10. Director General of Inspection & Audit, Cus. &
C.Ex., New Delhi.
 11. Comptroller & Auditor General of India,
New Delhi.
 12. The Additional Director General (EP), Directorate
General of Export Promotion,
1st Floor, Hotel Janpath, Janpath,
New Delhi-110 001.
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